

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.3466 OF 2015

Vineet Kumar Singh

..Petitioner

Versus

1.Ranu Vineet Kumar Singh

2.The State of Maharashtra

..Respondents

Mr. G. R. Hegde, advocate for the petitioner.

Ms. Bhagyshree K. Pujari, advocate for respondent No.1.

Mr. J. P. Yagnik, APP for the State.

**CORAM : RANJIT MORE &
R. G. KETKAR, JJ.**

DATE : 4th SEPTEMBER, 2015.

P. C. :

Heard learned counsel and learned APP appearing for the respective parties.

2. The petition is filed under Article 226 of the Constitution of India for quashing and setting-aside the FIR bearing C.R. No.178 of 2015 registered with Meghwadi Police Station, Andheri East, at the instance of respondent No.1, for the offences punishable under Sections 498A and 406 of the Indian Penal Code, 1860.

3. The petitioner and respondent No.1 are husband and wife. Matrimonial dispute between the parties, however, gave rise to filing of the subject FIR. Pending investigation, the parties have settled their dispute amicably, and in pursuance of an understanding arrived at between them, have approached this Court for quashing and setting-aside the subject FIR by consent. Respondent No.1 has filed an affidavit dated 4th September, 2015. In paragraph 4, she has given her no objection for quashing and setting-aside the subject FIR. Respondent No.1 is personally present before the Court. She has been identified by her advocate. On being questioned, she specifically stated that she has gone through the affidavit and has understood the contents thereof and she has no objection if the subject FIR is quashed and set-aside. She also stated that she is giving no objection for quashing the said FIR out of free will and without there being any pressure or coercion.

4. It can, thus, be seen that the matter has been amicably settled between the parties. Perusal of the complaint, makes it clear that the allegations are totally personal in nature. In these

circumstances and especially in view of the law laid down by the Apex Court in the case of **B.S.Joshi versus State of Haryana AIR 2003 SC 1386**, we are of the view that quashing of the subject FIR would be in the interest of respondent No.1. Besides, no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened. In that view of the matter and in the interests of justice, the subject FIR is required to be quashed and set-aside. Thus, the FIR bearing C.R. No.178 of 2015 registered with Meghwadi Police Station, Andheri East, is quashed and set-aside and the criminal writ petition is disposed of as such.

[R. G. KETKAR, J.]

[RANJIT MORE, J.]